



CEC Docket No: 07-BSTD-1

April 1, 2008

California Energy Commission
Attention Docket No. 07-BSTD-1
Dockets Office
1516 Ninth Street, MS - 4
Sacramento, CA 95814

Re: **Proposed Changes to the Standards Language:**

- **Sections 101 , 125, 144(k), 149 (b)1.D, 149 (b)1.E, 152 (b)1.D, 152 (b)1.E**
- **Tables 151 - B, C, &D**
- **Changes to the "Reference Appendices"**

Dear Commissioners:

Reasonable alternatives to the energy code requirements for third party verification of HVAC systems and their related air ducts were not considered when proposing significant sections to the code and its related compliance manuals. The Testing Adjusting and Balancing Bureau, National Environmental Balancing Bureau and the Associated Air Balance Council have been engaged in certifying contractors, supervisors and technicians in this field for over 25 years. Businesses certified by these entities are engaged in the testing, adjusting, balancing and commissioning of building environmental systems which include but are not limited to HVAC systems and their related controls, ducts and equipment. They were engaged in this business before the HERS System was ever considered or adopted. It would seem reasonable to engage the businesses and their professional associations prior to implementing a complete new verification system via an energy code. We would offer that these businesses would be more effective and less burdensome to the industry and consumers, the most affected by these provisions. To offer a reasonable alternative we would like to propose the following changes to the code :

Proposed Changes to the Standards Language:



CEC Docket No: 07-BSTD-1

Section 101 - DEFINITIONS AND RULES OF CONSTRUCTION

Add "Definitions" for:

American Air Balance Council

National Environmental Balance Bureau

Testing, Adjusting and Balancing Bureau

SECTION 125 - REQUIRED NONRESIDENTIAL MECHANICAL SYSTEM ACCEPTANCE

(a) Before an occupancy permit is granted the following equipment and systems shall be certified as meeting the Acceptance Requirements for Code Compliance, as specified by the Reference Nonresidential Appendix NA7. A Certificate of Acceptance shall be submitted to the building department that certifies that the equipment and systems meet the acceptance requirements, *except that installing contractors certified by any of the following entities; N.E.B.B., A.A.B.C., T.A.B.B., need not comply with 3rd party field verification.*

SECTION 144(k) *(Prescriptive Requirements for Space Conditioning Systems)*

Add as the last sentence:

Requirements for Space Conditioning Systems in this Section and as specified in the Reference Nonresidential Appendix NA1, shall except (exempt) third party verification by a HERS rater if the installing contractor or alternate verifier is certified by any of the following entities; N.E.B.B., A.A.B.C., T.A.B.B.

SECTION 149(b)1.D. & Section 149 (b)1.E. *(Nonresidential Additions and Alterations)*

Add:

EXCEPTION to Section 149(b)1.D.: Duct Sealing as required by this Section and as specified in the Reference Nonresidential ACM Appendix NA1, shall



CEC Docket No: 07-BSTD-1

not require third party verification by a HERS rater if the installing contractor or alternate third party verifier is certified by any of the following entities; N.E.B.B., A.A.B.C., T.A.B.B.

Add the same "EXCEPTION" to Section 149 (b)1.E.

TABLES 151-B, C, & D

Add a footnote to each Table (wherever "Duct Sealing" is listed) as follows:

"Duct Sealing," as required by this Section and as specified in ALL appropriate and pertinent Reference ACM and other Appendices, shall not require third party verification if the installing contractor or alternate third party verifier is certified by any of the following entities: N.E.B.B., A.A.B.C., T.A.B.B.

SECTION 152(b)1.D & (Residential Additions and Alterations)

EXCEPTION to Section 152(b)1.D.: Duct Sealing as required by this Section and as specified in the Reference Appendices, Appendix RA2, shall not require third party verification if the installing contractor or alternate third party verifier is certified by any of the following entities; N.E.B.B., A.A.B.C., T.A.B.B.

SECTION 152(b)1.E.

EXCEPTION to Section 152(b)1.E.: Duct Sealing as required by this Section and as specified in the Reference Appendices, Appendix RA2, shall not require third party verification if the installing contractor or alternate third party verifier is certified by any of the following entities; N.E.B.B., A.A.B.C., T.A.B.B.

Proposed Changes to the "Reference Appendices" Language:

RA2.1

Add to 2nd paragraph, after last sentence:



CEC Docket No: 07-BSTD-1

Third Party Quality Control Programs approved by the Commission may serve some of the ~~function~~ functions of HERS raters for field verification purposes as specified in ~~section 7.7~~Section RA2.6. [Installing contractors or alternate third party verifier, certified by any of the following entities; N.E.B.B., A.A.B.C., T.A.B.B, need not comply with 3rd party field verification.](#)

NA1.1

Add to the end of the first, after last sentence:

Third-party quality control programs approved by the Commission may serve some of the functions of HERS raters for field verification and diagnostic testing purposes as specified below in Section NA1.5. [Installing contractors or alternate third party verifier, certified by any of the following entities; N.E.B.B., A.A.B.C., T.A.B.B, need not comply with 3rd party field verification.](#)

We believe that we have identified all the necessary changes needed in the Code and its related manuals, however, due to the extensive nature of the related manuals and pertinent documents these changes should be made wherever else pertinent to initiate the exemption of 3rd party verification for HVAC contractors or alternated third party verifiers possessing AABC, NEBB or TABB certification.

This document is hereby submitted on behalf of the California SMACNA/SMWIA Joint Committee on Energy and Environmental Policy.

Sincerely,

Erik S Emblem
3E International Incorporated
1809 S Street Suite 101-207
Sacramento, CA 95811
eemblem@3Eintinc.net

CC: Bill Pennington, CEC